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MAILED

JUN 10 2010

OFFICE OF PETITIONS

In re Application of :
STEVENS, JOHN HERBERT et al. :
Application No. 10/020,045 :
Filed: DECEMBER 31, 2001 :
Attorney Docket No. PU010301 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed March 25, 2010 to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office Action mailed September 04, 2008, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on December 05, 2008.

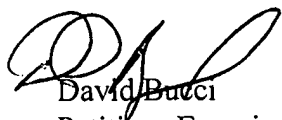
The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a notice of appeal and an appeal brief; (2) the petition fee of \$1,620 and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office Action of September 04, 2008 is accepted as having been unintentionally delayed.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant of 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Miranda Le at (571) 272-4112 or in her absence, the undersigned at (571) 272-7099.

The application file is being referred to Technology Center AU 2424 for appropriate action on the concurrently filed amendment.



David Bucci
Petitions Examiner
Office of Petitions

CC: THOMSON LICENSING LLC, Patent Operations
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